

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION**

BEST IN CLASS SUPPLIERS, LLC

PLAINTIFF

V.

CASE NO. 5:19-CV-05046

INCIPIO, LLC

DEFENDANT

ORDER CONFIRMING ARBITRATION AWARD

Now pending before the Court are Plaintiff Best in Class Suppliers, LLC's ("BIC") Application to Confirm Arbitration Award (Doc. 32) and Brief in Support (Doc. 33). Defendant Incipio, LLC, is represented by counsel and received electronic notice of BIC's Application but did not file a response in opposition. The Court has reviewed the arbitrator's final award (Doc. 32-1) and finds as follows:

(1) On September 6, 2019, the Court granted Incipio's motion to compel arbitration and ordered the parties to arbitrate the dispute between them. See Doc. 31.

(2) On August 9, 2022, the arbitrator dismissed all of Incipio's claims and entered a final award in favor of BIC.

(3) The arbitrator's award (Doc. 32-1) grants BIC judgment in the amount of \$1,442,517.48, plus \$505,473.93 in pre-judgment interest, with post-judgment interest to accrue as of the award's date.

(4) The Federal Arbitration Act, 9 U.S.C. §§ 9–11, authorizes judicial review for the purpose of confirming, vacating, or modifying arbitration awards. *Hall Street Assocs., L.L.C. v. Mattel, Inc.*, 552 U.S. 576, 582 (2008). Courts "must confirm an arbitration award unless it is vacated, modified, or corrected as prescribed in §§ 10 and 11." *Id.* (internal quotations omitted).

(5) BIC requests that this Court confirm the arbitration award, and that request is unopposed by Incipio.

(6) Venue to confirm the award is appropriate in this Court. *See Cortez Byrd Chips, Inc. v. Bill Harbert Constr. Co.*, 529 U.S. 193, 195 (2000); 28 U.S.C. § 1391.

IT IS THEREFORE ORDERED that Plaintiff's Application to Confirm Arbitration Award (Doc. 32) is **GRANTED**. The award is **CONFIRMED**.

IT IS SO ORDERED on this 20th day of September, 2022.



TIMOTHY L. BROOKS
UNITED STATES DISTRICT JUDGE